CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Stephen DiFiore	Team: Squad #7	CCRB Case #: 201906172	☐ Force ☑ Abuse	☐ Discourt. ☐ O.L.	☐ U.S. ☐ Injury

Incident Date(s)	Location of Incident:		Precinct:	18 Mo. SOL	EO SOL
Tuesday, 10/09/2018 2:10 AM	S/E corner of 3rd Avenue and East 61st Street		19	4/9/2020	11/24/2020

Date/Time CV Reported	CV Reported At:	How CV Reported:	Date/Time Received at CCRB
Sat, 07/13/2019 6:31 PM	CCRB	On-line website	Sat, 07/13/2019 6:31 PM

Complainant/Victim	Type	Home Address
██████████	████	████████████████

Witness(es)		Home Address
██████████		████████████████

Subject Officer(s)	Shield	TaxID	Command
1. POM Christophe Weigand	07011	934254	CW T TF

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM John Mascetti	16396	943710	CW T TF

Officer(s)	Allegation	Investigator Recommendation
A.POM Christophe Weigand	Abuse: Police Officer Christopher Weigand did not obtain medical treatment for § 87(2)(b) ██████	████████████

Case Summary

On July 13, 2019, § 87(2)(b)   filed this complaint via the CCRB website. No video footage was collected for this case.

On October 9, 2019 at approximately 2:10 a.m. in the vicinity of the southeast corner of 3rd Avenue and East 61st Street in Manhattan, PO Christopher Weigand, who was working with PO John Mascetti in the Citywide Traffic Task Force, arrested § 87(2)(b) for driving while intoxicated. While transporting him to the stationhouse, § 87(2)(b) allegedly asked if he could receive medical attention for his heart condition which required him to have access to his medication. PO Weigand allegedly told § 87(2)(b) that he did not care about his medical condition (**Allegation A: Abuse of Authority,** § 87(2)(g)).

Findings and Recommendations

Allegation (A) Abuse of Authority: PO Christopher Weigand did not obtain medical treatment for § 87(2)(b)

PO Weigand and PO Mascetti stopped § 87(2)(b) s vehicle after observing him drive forward in a right turn only lane. In his CCRB statement, PO Weigand said that he approached the driver side of the vehicle, at which point he smelled alcohol and noticed that § 87(2)(b) had watery, bloodshot eyes. PO Weigand asked § 87(2)(b) to exit the vehicle and approach the rear of the vehicle, at which point PO Weigand noticed the smell was coming from § 87(2)(b) s breath. PO Weigand arrested § 87(2)(b) after he refused to take a breathalyzer.

§ 87(2)(b) said in his statement that while being transported to the stationhouse, he told PO Weigand and PO Mascetti about his need to take medication for his heart condition and that PO Weigand replied that he did not care about § 87(2)(b) s condition. § 87(2)(b) further alleged that PO Weigand said that if § 87(2)(b) said that he did not have a medical condition that he would be released faster. Additionally, § 87(2)(b) said that he could not have been drinking heavily because of the medication he was taking. Upon being released from custody, § 87(2)(b) did not independently seek medical attention until November, several weeks after the incident.

PO Weigand denied that § 87(2)(b) ever informed him of his condition while en route to the stationhouse or at any other point during the interaction. PO Weigand said in his interview that he saw nothing about § 87(2)(b) that led him to believe that he needed to go to the hospital or receive medical attention.

PO Mascetti did not recall the incident.

Neither PO Weigand nor PO Mascetti were equipped with BWC during this incident so there is no video footage of any conversations between them and § 87(2)(b)
§ 87(2)(g)

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Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party.
- PO Weigand has been a member-of-service for 15 years and has been a subject in five prior complaints and ten prior allegations, none of which were substantiated. § 87(2)(g) .

Mediation, Civil and Criminal Histories

- This complaint was not suitable for mediation.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)] ████████████████████████
  ████████████████████████████████).

Squad No.: _____7_____

Investigator: _____   ___Inv. Stephen DiFiore___   _____
                    Signature   Print Title & Name   Date

Squad Leader: _____   _____   _____
                    Signature   Print Title & Name   Date

Reviewer: _____   _____   _____
                    Signature   Print Title & Name   Date